

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Examiner: Hutton, Jr., William D.
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Igra)	Art Unit: 2176
)	
Application No.: 09/816,552)	Confirmation No. 6531
)	
Filed: March 23, 2001)	
)	
For: COMMON DESIGN FOR)	
WEB PAGES THROUGH)	
EMPLOYMENT OF)	
MASTER SPECIFICATIONS)	

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REPLY TO EXAMINER'S RESPONSE TO REPLY BRIEF

Dear Sir:

This is a Reply to the Examiner's Response to Reply Brief dated January 18, 2007.

Appellant respectfully replies to the Examiner's Response as follows:

(A) The Examiner has previously equated the collective templates, controls, and style sheets of Ferrel to the master specification referenced by subordinate content specifications of claim 1, and the subordinate content specifications to the story objects of Ferrel. In response, Appellant noted that the story objects of Ferrel only reference style sheets, which in and of themselves do not equate to a master specification. Appellant further noted that the story objects do not reference controls, but rather are referenced by them.

In reply, the Examiner now states that the controls and style sheets are linked. And because they are linked, a reference by a story object to a style sheet is necessarily a reference to a control that is linked to the stylesheet. Since the templates are nothing more than the collective of the controls and the stylesheets, a reference to a style sheet that is linked to a control is equated by the Examiner to a reference to the templates, controls, and style sheets of Ferrel, which in turn allegedly equates to a reference to the master specification, as claimed in claim 1.

Appellants certainly concur that the style sheets and controls are linked. Ferrel states this repeatedly. But it is the manner of their linking that is important. If a reference to a style sheet is to be equated to an implicit reference to a control, the style sheet must reference the control. If the referenced style sheet does not reference a control, the reference chain is broken, and the story object does not reference a template, a control, and a style sheet.

And as shown in Figures 13a-13b of Ferrel, style sheets do not reference controls. Ferrel states this explicitly in column 32, lines 61-64: a style sheet 655 is referenced by a plurality of controls 658-660. No mention is made anywhere in Ferrel of a style sheet referencing a control, nor would it make sense to have the style sheets reference the controls. In Ferrel, as illustrated in Figure 14, it is the controls 672 that combine the style 674 and content 670 objects. Such combining requires the controls to know of and reference the style sheets and story objects. It does not require the story objects or the style sheets to reference the controls.

Accordingly, Appellant's argument stands. Ferrel does not teach a story object (subordinate specification) that references templates, controls, and style sheets (master specification). Thus, Ferrel does not disclose claim 1 in as complete of detail as is claimed, and does not anticipate claim 1 under §102.

Additionally, at the end of "Section A", the Examiner states that the common navigation page of Figure 1 of Appellant's Specification is a "master specification"

reading on the master specification of claim 1, and that the page referencing the common navigation page is a subordinate specification referencing a master specification. Figure 1 illustrates the prior art. Thus, the Examiner asserts that a subordinate specification referencing a master specification is appellant admitted prior art.

First, Appellant notes that claim 1 has not been rejected under §102 or even §103 in view of Appellant's admitted prior art. Claim 1 is rejected as anticipated by Ferrel. For §102 rejections, it is improper to combine the reference with any other source. If the §102 reference does not explicitly or inherently disclose each and every claimed limitation, then the rejection is improper.

But even if the argument is proper, it is incorrect. The common navigation window does not specify a common content placement or a common style. As the Appellant's discussion of Figure 1 states, each page referencing the common navigation page must separately and additionally specify style and content placement, or reference style sheets to accomplish the same. This is the flaw with the prior art that the invention of claim 1 corrects. Claim 1 recites a master specification that specifies all common navigation, common placement, and common style so that only one reference by a subordinate page is necessary. This is simply not the case with the common navigation page of Figure 1. It fails to provide common content placement and common style, and thus is not a master specification as is claimed by claim 1.

(B) In response to Appellant's argument that Ferrel fails to teach a master specification specifying a common navigation arrangement, the Examiner provides two examples of alleged common navigation. First, the Examiner refers to the repeating of the last page layout to effectuate the rendering of all retrieved story objects. Because the repetition of a page layout involves the repetition of controls, the Examiner asserts that two pages having the same controls, but differing story

objects, must have the same navigation arrangement. Second, the Examiner points to Figure 6, which shows a layout having a navigational bar and a “next” control.

Appellant respectfully disagrees. The first example merely shows that multiple page layouts may have the same controls. Ferrel, however, does not disclose that the controls determine navigation. In fact, Ferrel does not specify a method of navigation. Some sort of method is certainly implicit, but no details are provided. In fact, it is possible that each “page” may have a different method of transitioning to other pages. Thus, the Examiner’s first example does not show “common navigation” in as complete of detail as is claimed in claim 1.

Additionally, the second example merely shows controls that presumably provide navigation for a specific page. Nothing in Ferrel teaches that any of these controls is repeated for any other page.

Even assuming the Ferrel does disclose “common navigation”, the common navigation disclosed by Ferrel would not be common navigation specified by a master specification, as is claimed in claim 1. For the reasons discussed above with regard to Section A, Ferrel does not disclose a master specification, since a master specification must be a thing referenced by subordinate specifications. Accordingly, Ferrel simply does not disclose a master specification specifying common navigation, and thus does not anticipate claim 1 under §102.

Additionally, at the end of “Section B”, the Examiner again states that the common navigation page of Figure 1 of Appellant’s Specification is a “master specification” reading on the master specification of claim 1, and that the page referencing the common navigation page is a subordinate specification referencing a master specification. Appellant has addressed this argument above in Section A, pointing out that the specification of Appellant’s Figure 1 is not a master specification.

Conclusion

As Applicant has set forth in the brief, the Examiner has erred in his rejections. Accordingly, Applicant respectfully requests that the Board reverse the Examiner's rejections.

Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,
Schwabe, Williamson & Wyatt, P.C.

Date: February 7, 2007

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